

MANDATE

**United States Court of Appeals
For the First Circuit**

No. 07-1108

DAVID DEITZEL,

Plaintiff - Appellee,

v.

SPRINGFIELD TERMINAL RAILWAY COMPANY,

Defendant - Appellant,

GUILFORD RAIL SYSTEMS.

Defendant.

JUDGMENT

Entered: October 1, 2007
Pursuant to 1st Cir. R. 27.0(d)

Upon consideration of the parties' joint motion, it is hereby ordered that this appeal be voluntarily dismissed pursuant to Fed. R. App. P. 42(b).

Mandate to issue forthwith.

By the Court:

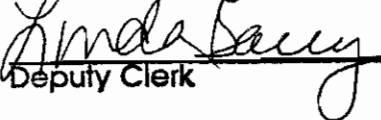
Richard Cushing Donovan, Clerk

ERIC H. DEININGER

By: _____
Appeals Attorney.

Certified and Issued as Mandate
under Fed. R. App. P. 41.

Richard Cushing Donovan, Clerk


Deputy Clerk

Date: OCT 01 2007

[cc: Messrs: O'Brien, McGurrin, DeGeorge and Davids]